Constitution prevents the presentation of the Supplementary Demands besides the budget.

The Supplementary Demands for the year 1967-68 (I Instalment) are presented to the House.

SPEAKER'S RULING *Re*: RAISING POINTS OF ORDER BY THE MEMBERS.

MR. SPEAKER.—Before taking up the legislative business, I want to give the ruling which is pending. The other day when this matter came up, a point of order was raised by Sri K. H. Patil and incidentally Sri Siddaveerappa wanted that on that point of order that all Members who were desirous of participating should be allowed to participate and it was sought to be reinforced by more than one Member that it is the inherent right of every member to speak in support of a point of order. It was also pointed out that the Speaker would be in error if he does not allow such Members to express themselves on the point of order. I then said that it raised a very interesting point and I reserved my ruling.

Now, a point of order is specifically provided for in rule 311 of the Rules of Procedure and it says 'that a point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution as regulate the business of the Assembly and shall raise a question which is within the congnizance of the Speaker.' The ultra vires of a Bill is a matter which is not within the cognizance of the Speaker; it is within the congnizance of the courts. Clause (2) of that rule provides that a point of order may be raised in relation to the bussiness before the Assembly at the moment and clause (6) provides :

A member shall not raise a point of order—

(a) to ask for information, or

(b) to explain his position, or

(c) when a question on any motion is being put to the Assembly, or

(d) which may be hypothetical, or

(e) that division bells did not ring or were not heard.

Then clause (4) says :

'No debate shall be allowed on a point of order but the Speaker may, if he thinks fit, hear members before giving his decision.'

So, one thing which is specifically put in the negative is that the Speaker will not be doing his duty if he allows a debate on a point of order. It

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is however, said that the Speaker may, if he think fit, hear members before giving his decision. Therefore, the discretion is vested in the Speaker and it is not said that the Speaker shall hear the members. It is further made clear by the express use of the words 'if he thinks fit'. It was said that it is the inherent right of every Member to participate in a point of order and they even went to the extent of saying, "Why are we here if we cannot express ourselves?".

11-00 A.M.

We are here to deliberate upon all the matters that come up, but not with regard to point of order or what is to be said on it because it is purely a technical question. There are rules and these rules are binding upon everybody, upon the whole House and upon me more so. These rules are enacted with a view to see that much time is not expended on points of orders. They have only to be incidentally dealt with, but the bulk of the time should be taken for other matters like resolutions, Bills, Budget and the like. Therefore members cannot contend that they have got an inherent right. On the other hand what is provided in the rules is not proper, it is perfectly open to the House to amend the rules. A Committee has been constituted for the purpose and I will certainly carry this suggestion to the members of that Committee and the Committee may deal with it and when it submits its report it will again come up before the House so that all members may deal with it because after all, it is for members to frame rules for their own goveranance in the House. But I would say that when once the rules are framed, members should as far as possible adhere to them and not trample upon them or ignore them. Therefore, if a debate is to be allowed, it will eat into the time which will be otherwise available. Therefore, the point raised by Sri Siddaveerappa that everybody has to be heard would not be right. On the other hand, members would have seen, if there is really a very intricate point, experienced parliamentarians who have made good study would be usefully contributing their knowledge to the point raised and I had never shut it out, but if every member thinks that what he has thought should be taken into the proceedings and time should be taken for that, it would become extremely difficult and almost impossibe of achievement. So I am unable to uphold the point of order that every member has got a right to say that he must be heard and the House must at all events be willing to hear him and he has a right to express himself.

Now the hon'ble member Sri Siddaiah Kashimath will move the the motion.